

Alton James
Chairperson
Lauren Hood, MCD
Vice Chair/Secretary

City of Detroit

CITY PLANNING COMMISSION
208 Coleman A. Young Municipal Center
Detroit, Michigan 48226
Phone: (313) 224-6225 Fax: (313) 224-4336
e-mail: cc-cpc@detroitmi.gov

Brenda Goss-Andrews
Lisa Whitmore Davis
Damion Ellis
David Esparza, AIA, LEED
Gregory Pawlowski
Frederick E. Russell, Jr.
Angy Webb

May 21, 2019

HONORABLE CITY COUNCIL

RE: Neighborhood Enterprise Zone Certificate Applications for two (2) newly constructed condominium units located at 411 and 423 East Ferry Avenue in the East Ferry Neighborhood Enterprise Zone area. (RECOMMEND APPROVAL)

One Tuesday, February 5, 2019 Your Honorable Body voted to approve the two aforementioned Neighborhood Enterprise Zone (NEZ) applications based upon the recommendation of The City Planning Commission (CPC) staff. The office of the CPC had received two (2) applications requesting an NEZ certificate forwarded from the office of the City Clerk for the construction of new condominium units located at 411 and 423 East Ferry Avenue. These applications correspond to a qualified site that will facilitate the new construction of two carriage house style condominiums with attached garages. CPC staff had reviewed the applications and recommends approval.

The subject properties have been confirmed as being within the boundaries of the East Ferry NEZ and should be eligible for NEZ certificates under State Act 147 of 1992 as currently written. The NEZ certificate applications appear to have been submitted within six months of the development being issued building permits on June 15, 2018.

The State Tax Commission had received the developer's NEZ exemption applications for 411 East Ferry and 423 East Ferry; citing that the files N2019-028 and N2019-029 were incomplete and require the submission of additional information in order to continue processing the applications.

The building permits submitting along with the applications shows that the permits were issued on June 15, 2018 and the applications were filed with the City of Detroit Clerk's office on November 26, 2018. MCL 207.774 states that the application must be filed **before** a building permit is issued or as otherwise provided by the local governmental unit by resolution if the application is filed not later than 6 months following the date the building permit is issued. This provision within the NEZ statute states that an application can be been filed but not later than 6 months following the date the building permit was issued if the local governmental unit has specific language within the application approval resolution. The resolution adopted by the City of Detroit did not contain language that approves the submission of the applications after the issuance of the building permit.

In order to proceed the City of Detroit would have to approve the late submission and amend the resolution approving the application to include language accepting the applications being filed no later than 6 month following the date the building permit was issued.

Please contact our office should you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads "Marcell R. Todd, Jr.".

Marcell R. Todd, Jr., Director CPC
George A. Etheridge, City Planner, LPD

cc: Janice Winfrey, City Clerk